

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

24-CR-140 (PAE)

-v-

JONATHAN MOYNAHAN LARMORE,

ORDER

Defendant.

PAUL A. ENGELMAYER, District Judge:

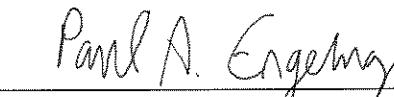
The Court has reviewed the memorandum of law of defendant Jonathan Moynahan Larmore in support of his renewed motion for entry of a judgment of acquittal under Federal Rule of Criminal Procedure 29, and his motion, made on the same grounds, for a new trial under Rule 33. *See* Dkt. 111. The Court has also reviewed the Government's opposition. *See* Dkt. 112.

Larmore's memorandum evaluates the Government's evidence in a pointillistic manner, setting out the inferences that the defense, largely reprising its jury arguments, contends should be drawn from particular items of testimony or exhibits. As such, Larmore's challenge flouts the foundational principles that, on a post-conviction sufficiency challenge, the evidence should be viewed in totality, in the light most favorable to, and with all permissible inferences drawn in favor of, the Government. *See, e.g., Coleman v. Johnson*, 566 U.S. 650, 654 (2012); *Jackson v. Virginia*, 443 U.S. 307, 319 (1979); *United States v. Landesman*, 17 F.4th 298, 319 (2d Cir. 2021); *United States v. Cassese*, 428 F.3d 92, 98 (2d Cir. 2005). The Court denies Larmore's motions for the reasons stated by the Government in its methodical, comprehensive, and

convincing opposition, and for the reasons the Court gave in denying the Rule 29 motion that Larmore made following the close of the Government's case.

The Clerk of Court is respectfully directed to terminate the motion pending at Docket 110.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: November 25, 2024
New York, New York